

UNITED STATES DISTRICT COURT
COUNTY OF

DISTRICT: SOUTHERN DISTRICT OF NEW YORK

Attorneys: Cozen, O'Connor, P.C. PH: 212-453-3830

Address: 909 3RD AVE, 17TH FLOOR NEW YORK NY 10022 File No.:

Celia Katz, Administratrix of the Estate of Michael Katz

vs

Albert A. Munsch, Jr.

Plaintiff(s)/Petitioner(s)

Defendant(s)/Respondent(s)

STATE OF NEW YORK, COUNTY OF NEW YORK, SS.:

AFFIDAVIT OF SERVICE

Elizabeth Bennett, being duly sworn deposes and says: Deponent is not a party herein, is over 18 years of age and resides in New York State. On August 20, 2007 at 5:56pm, at 135 FINCHVILLE TURNPIKE, P.H., OTISVILLE, NY 10963, deponent served the within Summons and Complaint Jury Trial Demanded

on: Albert A. Munsch, Jr., Defendant therein named.

#1 INDIVIDUAL ☐ By delivering a true copy of each to said recipient personally; deponent knew the person served to be the person described as said person therein.

#2 ☐ By delivering thereat a true copy of each to personally, deponent knew the person so served to be the of the, and authorized to accept service on behalf of the.

#3 SUITABLE AGE PERSON ☒ By delivering a true copy of each to ALBERT A. MUNSCH, III a person of suitable age and discretion. Said premises is recipient's: [] actual place of business [X] dwelling house (usual place of abode) within the state.

#4 AFFIXING TO DOOR ☐ By affixing a true copy of each to the door of said premises, which is recipient's: [] actual place of business [] dwelling house (place of abode) within the state.

Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, having called thereat

on the day of at

on the day of at

on the day of at

Address confirmed by

#5 MAIL COPY ☒ On August 21, 2007, deponent completed service by depositing a true copy of each document to the above address in a 1st Class postpaid properly addressed envelope marked "Personal and Confidential" in an official depository under the exclusive care and custody of the United States Post Office in the State of New York and Certified Mail #

#6 DESCRIPTION ☒ A description of the Defendant, or other person served, or spoken to on behalf of the Defendant is as follows:
Sex: Male Color of skin: White Color of hair: Brown Age: 30 - 40 Yrs. Height: 5' 4" - 5' 8"
(use with #1, 2 or 3) Weight: 161 - 200 Lbs. Other Features:

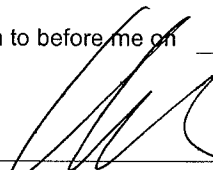
#7 WIT. FEES ☐ the authorized witness fee and / or traveling expenses were paid (tendered) to the recipient.


#8 MILITARYSRVC ☐ Deponent asked person spoken to whether the recipient was presently in military service of the United States Government or of the State of New York and was informed that recipient was not. Recipient wore ordinary civilian clothes and no military uniform.

#9 USE IN NYC CIVIL COURT ☐ The language required by NYCRR 2900.2 (e), (f) & (h) was set forth on the fact of said summons (es).

#10 OTHER ☐

Sworn to before me on August 21, 2007


WENDY RESNICK
NOTARY PUBLIC, State of New York
No. 01RE5067464, Westchester County
Commission Expires Oct. 15, 2010


Elizabeth Bennett
Server's Lic #
Invoice/Work Order # 07021000

Date Filed: July 31, 2007

Court Date:

UNITED STATES DISTRICT COURT

COUNTY OF

DISTRICT: SOUTHERN DISTRICT OF NEW YORK

Attorneys: Cozen, O'Connor, P.C. PH: 212-453-3830

Address: 909 3RD AVE, 17TH FLOOR NEW YORK NY 10022 File No.:

Celia Katz, Administratrix of the Estate of Michael Katz

vs

Albert A. Munsch, Jr.

Plaintiff(s)/Petitioner(s)

Defendant(s)/Respondent(s)

STATE OF NEW YORK, COUNTY OF NEW YORK, SS.:

AFFIDAVIT OF SERVICE

Elizabeth Bennett, being duly sworn deposes and says: Deponent is not a party herein, is over 18 years of age and resides in New York State. On August 20, 2007 at 5:56pm, at 135 FINCHVILLE TURNPIKE, P.H., OTISVILLE, NY 10963, deponent served the within Summons and Complaint Jury Trial Demanded

on: Albert A. Munsch, Jr., Defendant therein named.

#1 INDIVIDUAL ☐ By delivering a true copy of each to said recipient personally; deponent knew the person served to be the person described as said person therein.

#2 ☐ By delivering thereat a true copy of each to personally, deponent knew the person so served to be the of the, and authorized to accept service on behalf of the.

#3 SUITABLE AGE PERSON ☒ By delivering a true copy of each to ALBERT A. MUNSCH, III a person of suitable age and discretion. Said premises is recipient's: ☐ actual place of business ☒ dwelling house (usual place of abode) within the state.

#4 AFFIXING TO DOOR ☐ By affixing a true copy of each to the door of said premises, which is recipient's: ☐ actual place of business ☐ dwelling house (place of abode) within the state.

Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, having called thereat on the day of at on the day of at on the day of at Address confirmed by

#5 MAIL COPY ☒ On August 21, 2007, deponent completed service by depositing a true copy of each document to the above address in a 1st Class postpaid properly addressed envelope marked "Personal and Confidential" in an official depository under the exclusive care and custody of the United States Post Office in the State of New York ☐ and Certified Mail #

#6 DESCRIPTION ☒ A description of the Defendant, or other person served, or spoken to on behalf of the Defendant is as follows:
Sex: Male Color of skin: White Color of hair: Brown Age: 30 - 40 Yrs. Height: 5' 4" - 5' 8"
(use with #1, 2 or 3) Weight: 161 - 200 Lbs. Other Features:

#7 WIT. FEES ☐ the authorized witness fee and / or traveling expenses were paid (tendered) to the recipient.

#8 MILITARYSRVC ☐ Deponent asked person spoken to whether the recipient was presently in military service of the United States Government or of the State of New York and was informed that recipient was not. Recipient wore ordinary civilian clothes and no military uniform.

#9 USE IN NYC CIVIL COURT ☐ The language required by NYCRR 2900.2 (e), (f) & (h) was set forth on the fact of said summons (es).

#10 OTHER ☐

Sworn to before me on August 21, 2007

WENDY RESNICK
NOTARY PUBLIC, State of New York
No.01RE5067464, Westchester County
Commission Expires Oct. 15, 2010

Elizabeth Bennett

Server's Lic #

Invoice/Work Order # 07021000

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

Celia Katz, Administratrix of the
Estate of Michael Katz

SUMMONS IN A CIVIL ACTION

V.

Albert A. Munsch, Jr.

CASE NUMBER:

07 CIV. 6852

TO: (Name and address of Defendant)

Albert A. Munsch, Jr.
135 Finchville Turnpike
Otisville, NY 10963

BRIEANT

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Christopher C. Fallon, Jr., Esq.
Cozen O'Connor
45 Broadway, 16th Floor
New York, NY 10006

an answer to the complaint which is served on you with this summons, within _____ days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

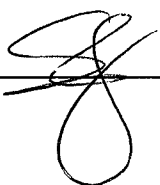
J. MICHAEL McMAHON

JUL 31 2007

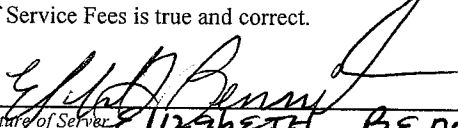
CLERK

DATE

(By) DEPUTY CLERK




AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE	August 29 2007 @ 5.56 PM
NAME OF SERVER (PRINT) ELIZABETH BENNETT	TITLE	
<i>Check one box below to indicate appropriate method of service</i>		
<div style="margin-bottom: 10px;"><input type="checkbox"/> Served personally upon the defendant. Place where served:</div> <div style="margin-bottom: 10px;"><input checked="" type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:</div> <div style="margin-bottom: 10px;"><input type="checkbox"/> Returned unexecuted:</div> <div><input type="checkbox"/> Other (specify):</div>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 30%;"> <p>Executed on <u>8/21/07</u></p> <p style="text-align: center; font-size: small;">Date</p> </div> <div style="width: 60%;"> <p style="text-align: center;">  Signature of Server <u>ELIZABETH BENNETT</u> </p> <p style="text-align: center; margin-top: 20px;"> <u>WESOTOWN, N.Y.</u> Address of Server </p> </div> </div>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

U.S. POSTAL SERVICE		CERTIFICATE OF MAIL	
MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE-POSTMASTER			
Received From:		SUITE 1201 401 BROADWAY NEW YORK, NY 10013	
One p		Albert A. Munsch, Jr. 135 FINCHVILLE TURNPIKE, P.H. OTJSVILLE, NY 10963	

PS Form 3817, January 2001



The image shows a collection of postage stamps and postmarks. On the right, there are three stamps: a 10-cent stamp featuring a silver chalice, a 10-cent stamp featuring a clock, and a 10-cent stamp featuring a clock. There are also two circular postmarks from New York, dated AUG 21 2001, and a rectangular postmark from New York, dated AUG 21 2001.